

IN THE MATTER OF
THE APPLICATION OF
CHERYL SALARY

* BEFORE THE
* HOWARD COUNTY

FOR A CERTIFICATE OF APPROVAL
TO INSTALL SIGNS
AT 3740 OLD COLUMBIA PIKE
ELLICOTT CITY, MARYLAND

* HISTORIC PRESERVATION
* COMMISSION
* Case No. 20-01

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DECISION AND ORDER

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on February 6, 2020 to hear and consider the application of Cheryl Salary (“Applicant”), for a Certificate of Approval to install signs at 3740 Old Columbia Pike, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Allan Shad, Eileen Tennor, Drew Roth, Bruno Reich, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the February 6, 2020 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

Summary of Testimony

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. The Applicant testified in support of the application.

Findings of Fact

Based upon the evidence, the Commission makes the following findings of fact:

A. The Subject Property

This building is located in the Ellicott City Historic District and is part of Tonge Row. According to SDAT the building dates to 1890. In previous applications, HPC-13-59 and HPC-16-37, the Commission provided advice and subsequently approved sign applications for a previous business.

B. Proposed Improvements

The Applicant proposes to install two signs on the building. The signs will be made out of MDO covered in digitally printed vinyl graphics.

The first sign will be located on the rear of the building, facing Hamilton Street/Parking Lot D. This rear façade is the primary commercial entrance. The sign will be located on the basement level on the rear of the building, to the right of the front door (when facing the building). The sign will be hung from a black steel hook and black chain, flat against the building. The sign will be 36 inches high by 24 inches wide for a total of 6 square feet. The background of the sign will be black, and all text will be white. There will be a graphic

above the text, with a black human silhouette and a multi-color, color wheel behind the silhouette. The sign will be a ½ inch thick MDO board, framed in a ½ inch MDO black frame, to match the design at Park Ridge Creamery two buildings away. The sign will read on six lines:

Reset Now

Wellness

Services & Products

To Improve Your Health

410-397-7750

www.resetnowonline.com

The second sign will be installed on the front of the building, facing Old Columbia Pike. The applicant proposes to install one projecting sign on this façade, to the right of the door, between the door and the window. The sign will be double sided ¾ inch MDO board, with the sides of the sign painted black. The sign will be hung from a black steel scroll bracket with steel “S” and eye hooks. This sign will be 28 inches high by 33 inches wide, for a total of 6.4 square feet. The bracket will be 14 inches high by 38 inches wide. The bracket does not currently exist on the building, it will be installed as per the design shown on the sign proof. The sign will read on four lines:

Reset Now

Wellness

410-397-7750

www.resetnowonline.com

C. Staff Report

Signs #1 and #2 – General

Chapter 11: Signs

1) Chapter 11.A.1 recommends:

a. “Use simple, legible words and graphics.”

The font used, a sans serif, makes the text simple and legible. The graphic is simple as well, even though it utilizes several colors.

Chapter 11: Signs

2) Chapter 11.A.1 recommends:

a. “Use a minimum of colors, generally no more than three. Coordinate sign colors with the colors used in the building façade.”

Both signs contain more colors than recommended, and have 18 different shades of colors in the color spectrum wheel. This is the only color on the signs, as the remainder of the sign is black and white. The original version of the signs (which was submitted to staff for feedback) had a red drop shadow on all text. The graphic designer removed the red drop shadow on the recommendation of staff to simplify the colors used in the sign.

Sign #1 – Facing Parking Lot D/Hamilton Street

Chapter 11: Signs

3) Chapter 11.A.1 recommends:

a. “Use historically appropriate materials such as wood or iron for signs and supporting hardware. Select hardware that blends with the style of the sign and is neither flimsy nor excessively bulky.”

- b. *“On masonry walls, drill into the mortar joints rather than into the stone or brick to attach fasteners for the brackets supporting the sign.”*

The hardware proposed to be used on Sign #1 on the Parking Lot D/Hamilton Street facade, will be black metal chain and hooks, which will match that used on nearby buildings and also blend with the style of the sign.

The application does not specify how the hook will be installed, but the hardware should only be installed in the mortar, which can be repaired upon removal. Hardware should not be installed in the granite, which would make a permanent alteration to the stone.

Chapter 11: Signs

4) Chapter 11.A.1 recommends:

- a. *“Keep letters to a minimum and the message brief and to the point. In many cases, symbols or illustrations that communicate the nature of the business can be used.”*
- b. *“Emphasize the identification of the establishment rather than an advertising message on the face of the sign.”*

Sign #1, the sign facing Parking Lot D, has six lines of text. The use of the slogan “Services and Products To Improve Your Health” is an advertising message and does not comply with the Guideline recommendations. However, the text used is small and may not be highly visible on the sign from a distance.

Chapter 11: Signs

2) Chapter 11.B.2 recommends:

- a. *“Incorporate the sign into the façade of the buildings. Signs should fit within the lines and panels of the façade as defined by the building frame and architectural details.”*
- b. *“On most buildings, place signs no higher than the window sill of the second story.”*

Because this retail space is the basement level of a granite building, there are not many architectural details for signs to fit within (such as lintels and panels), other than voids on the building. As such, Sign #1 (facing Parking Lot D/Hamilton Street) will be between the entry door and the edge of the building, complying with the Guideline recommendations.

Sign #2 – Facing Old Columbia Pike

Chapter 11: Signs

1) Chapter 11.A.1 recommends:

- a. *“Keep letters to a minimum and the message brief and to the point. In many cases, symbols or illustrations that communicate the nature of the business can be used.”*
- b. *“Emphasize the identification of the establishment rather than an advertising message on the face of the sign.”*

The text on Sign #2, facing Old Columbia Pike, is minimal as it contains the business name, a website and phone number.

Chapter 11: Signs

- 5) Chapter 11.B states, *“Signs need to be in scale with the particular building and therefore are not uniform in size throughout the historic district. For example, the*

small shops of Tonge Row require smaller signs than a more massive structure such as the former Talbott Lumber Company building.”

6) Chapter 11.B.3 states, *“The county Sign Code requires that projecting signs have a minimum clearance of 10 feet above a sidewalk, be set back at least three feet from the curb line and extend no more than 42 inches from the wall of the building.*

7) Chapter 11.B.3 recommends:

c. “Limit the sign area to be in scale with the building. Projecting or hanging signs of four to six square feet are appropriate for many of Ellicott City’s small, attached commercial buildings.”

The proposed projecting sign (Sign #2) is not shown with a clearance of 10 feet above the sidewalk (as shown in Figure 3). In order for this clearance to be met, the sign would need to be raised higher on the building façade, to the second story level. Alternatively, a flat mounted sign, reduced in size, could fit in the space between the door and window.

The size of the projecting sign, at 6.4 square feet, is just outside of the recommended range (and even at 6 feet, is at the larger end of the recommended range). This building is one of the shortest buildings located on Tonge Row, facing Old Columbia Pike, and does not have a full second floor. The use of a smaller sign for this smaller building would better comply with the Guidelines.

Chapter 11: Signs

1) Chapter 11.A.1 recommends:

a. “Use historically appropriate materials such as wood or iron for signs and supporting hardware. Select hardware that blends with the style of the sign and is neither flimsy not excessively bulky.”

- b. *“On masonry walls, drill into the mortar joints rather than into the stone or brick to attach fasteners for the brackets supporting the sign.”*

The proposed bracket for Sign #2 on the Old Columbia Pike facade will be a black metal scroll bracket, which is a historic style. The hardware proposed to be used on Sign #1 on the Parking Lot D/Hamilton Street facade, will be black metal chain and hooks, which will match that used on nearby buildings and also blend with the style of the sign.

The application does not specify how the bracket will be installed, but the bracket should only be installed in the mortar, which can be repaired upon removal. The bracket should not be installed in the granite, which would make a permanent alteration to the stone.

D. Staff Recommendation

Staff recommends the HPC approve Sign #1 as submitted, and Sign #2, if flat mounted or raised to comply with Sign Code compliance and reduced slightly in size.

E. Testimony

Mr. Shad asked if there was anyone in opposition to the case. No one in the audience spoke. Mr. Shad swore in Cheryl Salary. Mr. Shad asked if Ms. Salary had any comments on the staff recommendations. Ms. Salary said she wanted to clarify if staff was asking her to raise the second sign and make the sign smaller. Ms. Burgess confirmed that those comments were what staff was recommending. Ms. Salary said she was comfortable raising up the second sign and making it a bit smaller, though she was unsure of how much smaller to make the second sign.

Ms. Tennor said the sidewalk is narrow at Tonge Row, which makes a very small roadway. Mr. Roth asked staff if they had suggestions for how much smaller the second sign would need to be. Ms. Holmes said the Guidelines suggest the sign be between 4-6 square

feet, and the since this building is one of the smallest, a sign at this location should be on the smaller end of the suggested size range.

Ms. Tennor said the second sign should be in alignment with the door on the Old Columbia Pike side of the building. Ms. Holmes said the sign might need to be raised up closer to the two windows on the top half story in order to meet DILP sign requirements. Ms. Holmes reiterated that the bracket for the sign to be hung from the building should be drilled into the mortar and not the stone.

Ms. Zoren said the bracket that the sign would hang from should be scaled down to match the width of the smaller sign.

F. Motion

Mr. Roth moved to approve the main entrance sign as submitted and approve the second sign with conditions that the bracket be mounted in the mortar, the sign be scaled down to be less than 5 square feet, with sufficient clearance under the sign to meet DILP sign code, and that the bracket to be sized proportional to the sign. Mr. Reich seconded. The motion was unanimously approved.

Conclusions Of Law

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

A. Standards of Review

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and

- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 11 sets forth the relevant recommendations for Signs in the Historic District, as detailed in the Findings of Fact, part C.

B. Application of Standards

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant proposes to install two signs on either side of a building which has a façade facing Old Columbia Pike, and a façade facing Hamilton Street/Parking Lot D. Because of the atypical configuration of the building with two public entrances at front and back," two signs are in accord with the Guidelines. The proposed design of the signs and their mounting hardware, as amended and detailed herein, is also in compliance with the Guidelines.

The sign over the Hamilton Street entrance will be hung on black metal chains to appear flat-mounted on the building. The sign will be approximately 6 square-feet, which is appropriate for the scale of the building, and will be located between the entry door and the edge of the building. The sign's design and hardware will match that used on nearby buildings. The sign will be constructed of MDO which is not distinguishable from wood without a close examination. The sign uses simple words and graphics and is primarily of two colors. A graphic color wheel is depicted as part of the branding of the business, but its size and use do not create the type of distraction that a sign using multiple colors would. The hardware will be fastened to the building at the mortar joints so as not to damage the stone facade of the building.

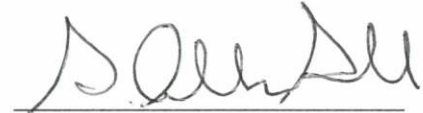
The second sign over the Old Columbia Pike entrance will be a projecting sign of no more than 5 square-feet, which complies with Guidelines requirements. The sign will be similar in construction and design to the Hamilton Street sign in terms of text and graphics. The mounting hardware will be a black metal scroll bracket, similar to nearby buildings, of an appropriate scale to be approved by Staff. It will be located at an appropriate height to comply with County law and the mounting hardware will be installed in mortar joints so as not to damage the stone façade of the building.

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.

ORDER AND CERTIFICATE OF APPROVAL

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 5 day of March, 2020, **ORDERED**, that the Applicant's request for a Certificate of Approval to install two signs at the Subject Property, is **APPROVED**, as detailed herein.

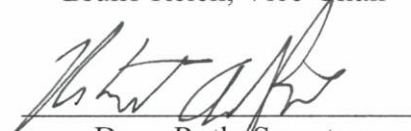
HOWARD COUNTY HISTORIC PRESERVATION COMMISSION



Allan Shad, Chair



Bruno Reich, Vice-Chair



Drew Roth, Secretary



Eileen Tennor



Erica Zoren

APPROVED for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW



Lewis Taylor
Senior Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.

IN THE MATTER OF
THE APPLICATION OF
HOWARD COUNTY DEPARTMENT
OF PUBLIC WORKS

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BEFORE THE
HOWARD COUNTY
HISTORIC PRESERVATION
COMMISSION
Case No. 20-02

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DECISION AND ORDER

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on February 6, 2020 to hear and consider the application of Robert Z. Hollenbeck on behalf of the Howard County Department of Public Works (“Applicant”), for a Certificate of Approval to make storefront alterations at 8125 Main Street, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Allan Shad, Eileen Tenor, Drew Roth, Bruno Reich, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the February 6, 2020 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

Summary of Testimony

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. The Applicant testified in support of the application.

Findings of Fact

Based upon the evidence, the Commission makes the following findings of fact:

A. The Subject Property

This building is located in the Ellicott City Historic District. According to a historic newspaper article, the building opened in November 1926.

B. Proposed Improvements

The Applicant proposes to install a printed vinyl graphic rendering depicting the building façade prior to the 2018 flood. The vinyl graphic will be installed over the temporary front plywood façade. The vinyl graphic will have a seam on the edges and be secured to the building with fasteners placed in grommets. The grommets will be factory installed in the edging of the fabric. Per the manufacturer, the vinyl print has an anticipated 3-year life span before fading should take place.

The application explains that the design was created based on available photographs and field measurements. The vinyl print will completely cover the exposed plywood façade. The print will consist of segments, or panels, and could potentially allow for temporary, seasonal overlays in the "windows" on the print.

The application states that if the material fades, or is otherwise damaged/tattered, DPW will remove it and return to a plain, painted façade (if DPW cannot fund a replacement vinyl graphic).

C. Staff Report

Chapter 11 Signs

- 1) *Chapter 11.B.9 recommend states: "Painting a sign directly on a wall or other structural part of a building is not permitted by the County Sign Code. However, the Board of Appeals may grant a variance for such signs if they are found to contribute significantly to the historical, architectural or aesthetic character of the area. A wall mural that does not advertise a business or identify of area is not a sign and is not regulated by the Sign Code. Well executed artwork such as wall murals can make a positive contribution to the historic district. Any wall mural, whether or not it is a sign, requires approval by the Historic Preservation Commission."*

The proposed mural is not a sign. However, the subject matter will replicate the appearance of the historic storefront that was destroyed in the 2018 flood. The mural will greatly improve the aesthetic character of the area and remove the appearance of a blank plywood wall, while construction takes place on the building. The applicant has also presented a plan for the maintenance of the vinyl graphic, which will be removed if it fades or gets damaged and tattered.

D. Staff Recommendation

Staff recommends the HPC approve the application as submitted.

E. Testimony

Mr. Shad asked if there was anyone opposed to the case. No one in the audience spoke. Mr. Shad swore in the applicant Robert Z. Hollenbeck from the Department of Public Works. Mr. Shad asked if Mr. Hollenbeck had anything to add to the staff report. Mr. Hollenbeck showed a sample of the proposed product to the Commissioners. Mr. Hollenbeck explained that when DPW previously came to the Commission in May 2019, DPW hoped to maintain the footprint of the vestibule and keep it open. During the progress of the stabilization, DPW found they could not keep the vestibule open in a manner that would be safe and conducive for public access. DPW installed plywood across the façade of the building to make the exterior visually appealing as DPW continues the stabilization efforts. The goal of the proposed application is to improve the appearance of the plywood façade by making it look like the previous storefront by applying the vinyl graphic to the plywood.

Ms. Tennor asked if the vinyl graphic would cover the plywood that is currently there. Mr. Hollenbeck said that is correct; the vinyl graphic would span the entire portion of the plywood that is currently there. Mr. Roth asked how long the vinyl graphic would be in place. Mr. Hollenbeck explained that due to the funding constraints that DPW has with reconstructing the front façade of the building, he was unsure of the timeframe of the reconstruction of the front façade.

Mr. Roth asked what the lifespan of the vinyl graphic was. Mr. Hollenbeck said the vinyl graphic is expected to last up to three years and if it got damaged or faded, DPW would replace or remove the graphic. Mr. Hollenbeck explained that the vinyl graphic will be printed in segments, which will allow for DPW to interchange the segments of the storefront windows during the holidays with decorative panels that would be up for a period shorter than 90 days.

Mr. Reich said he had no problem with the request as the visual would help improve the streetscape.

F. Motion

Ms. Tennor moved to approve the application as submitted. Mr. Roth seconded. The application was unanimously approved.

Conclusions Of Law

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

A. Standards of Review

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 11 sets forth the relevant recommendations for Signs in the Historic District, as detailed in the Findings of Fact, part C.

B. Application of Standards

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant proposes to install a temporary mural on the façade of the historic Caplan's department store building. In HPC 19-18, the Commission approved the partial demolition of the building due to severe damage caused by the Floods of 2016 and 2018. As that work progressed, the Applicant determined that it was unsafe to leave the vestibule open while stabilization continued and so boarded up the front of the building. The Applicant proposes to install a mural on vinyl that will be hung on the front of the building to depict the façade of the storefront as it has historically appeared. The mural will be removed after the building has been stabilized.

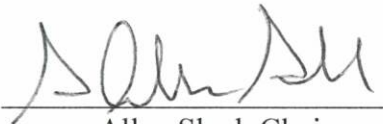
The mural will improve the historic aesthetic of Ellicott City while the work on the building continues. If the mural becomes faded or damaged, it will be replaced.

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.

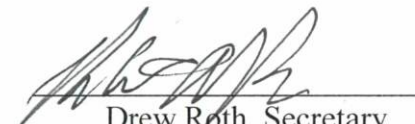
ORDER AND CERTIFICATE OF APPROVAL

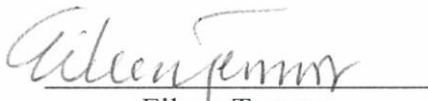
Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 5 day of March, 2020, **ORDERED**, that the Applicant's request for a Certificate of Approval for exterior alterations at the Subject Property, is **APPROVED**.

**HOWARD COUNTY HISTORIC
PRESERVATION COMMISSION**


Allan Shad, Chair


Bruno Reich, Vice-Chair


Drew Roth, Secretary


Eileen Tennor


Erica Zoren

APPROVED for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW



Lewis Taylor
Senior Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.

IN THE MATTER OF	*	BEFORE THE
THE APPLICATION OF	*	
CHRISTOPHER MEYER,	*	
HOWARD COUNTY OFFICE OF	*	HOWARD COUNTY
EMERGENCY MANAGEMENT		
FOR A CERTIFICATE OF APPROVAL	*	HISTORIC PRESERVATION
FOR EXTERIOR ALTERATIONS		
AT 3711 MARYLAND AVENUE/	*	COMMISSION
PARKING LOT C, AND 8267 MAIN		
STREET/PARKING LOT D	*	
ELLICOTT CITY, MARYLAND		
	*	Case No. 20-03

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DECISION AND ORDER

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on February 6, 2020 to hear and consider the application of Christopher Meyer on behalf of the Howard County Office of Emergency Management (“OEM” or “Applicant”), for a Certificate of Approval for exterior alterations at 3711 Maryland Avenue/Parking Lot C, and 8267 Main Street/Parking Lot D, in Ellicott City, Maryland (the “Subject Properties”). The Commission members present were Allan Shad, Eileen Tennor, Drew Roth, Bruno Reich, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the February 6, 2020 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or

“Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

Summary of Testimony

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the Staff’s recommendation and the basis for the recommendation. Copies of Staff’s recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. The Applicant testified in support of the application.

Findings of Fact

Based upon the evidence, the Commission makes the following findings of fact:

A. The Subject Properties

The building at 3711 Maryland Avenue, the B&O Railroad Ellicott City Station, is listed on the Howard County Historic Sites Inventory and the Maryland Inventory of Historic Properties as HO-71, is listed as a National Historic Landmark (NHL), and is subject to a Maryland Historical Trust Easement. According to the NHL form, the building dates to 1830-31. The building at 8267 Main Street dates to 1940, is listed on the Howard County Historic Sites Inventory and the Maryland Inventory of Historic Properties as HO-752 and is subject to a Maryland Historical Trust easement. Parking Lots C and D do not contain historic structures that will be affected by the work proposed in this application.

The application explains that in response to the 2016 and 2018 flash floods, OEM developed a flood alert system, which is currently in place through three temporary portable towers. The alert system sounds an audible tone throughout Main Street in the event that flash flooding is imminent.

B. Proposed Improvements

The Applicant proposes to install two fixed poles with permanent speaker array assemblies mounted to the poles at two locations near Main Street. Once the permanent system is in place, the portable towers can be removed. The proposed poles will consist of a black, powder coated raised square base and 6" to 8" diameter round pole set in a concrete base (the final diameter of the pole will be determined by the manufacturer based on the final equipment specifications). The pole will be approximately 30 feet in height with a speaker array mounted at the top of the pole. The application explains that the speaker array component is specifically designed to omit the proper tone/volume when needed. A control cabinet and solar panel will be mounted to the pole below the speaker array, about 6 feet above grade.

The proposed location for installation at 3711 Maryland Avenue/Parking Lot C is behind the train caboose, within Parking Lot C. This location is approximately 60 feet from the edge of the caboose. The alternate location (which depends on utilities, etc.) is at the parking spot directly behind the caboose, approximately 10 feet from the back of the caboose.

The proposed location at 8267 Main Street is at the rear of the Tourism building between the building parking lot and Parking Lot D. The pole would be next to an existing steel pole and will contain the same solar panel and control cabinet. There are two trees in front of this location, which will assist in shielding the pole.

C. Staff Report

Chapter 6.M: Rehabilitation and Maintenance of Existing Buildings; Equipment and Hardware

- 1) *Chapter 6.M states, “where it is not possible to hide equipment, it should be designed to blend as much as possible with the structure and should not obscure or damage important historic details.”*

In this scenario, the poles and speaker arrays will be freestanding and will not be installed close to any buildings. The installation will not damage or obscure any historic building features.

Chapter 10.C: Parking Lots, Public Streets and Street Furniture

- 2) *Chapter 10.C recommends, “improve consistency in design throughout the historic district for items such as street lights, traffic signals, public signage, trash receptacles and other street furniture.”*

The poles and base will be a black powder coated metal, which is commonly seen throughout Ellicott City on light poles, fences and bollards. The application complies with this recommendation.

- 3) *Chapter 10.C recommends, “select street furniture that reinforces Ellicott City’s identity as a historic district.”*

These poles and speaker arrays are necessary due to the public safety threat of flooding. They will not reinforce Ellicott City’s identity as a historic district, but will blend and be compatible with other street furniture that does reinforce that identity.

County Code §16.607(a)(4)

- 4) *§16.607 establishes standards for review and provides elements for consideration. Item 4 (§16.607(a)(4)), states, “whether the requested action is necessary to protect against threats to public safety.”*

This proposal directly relates to public safety as it is an audible warning system that will alert people when a flash flood is imminent.

D. Staff Recommendation

Staff recommends the HPC approve the application as submitted.

E. Testimony

Mr. Shad asked if anyone in the audience was in opposition to the application. There was no one in the audience in opposition. Mr. Shad swore in the Applicant, Christopher Meyer from the Howard County Office of Emergency Management. Mr. Meyer stated he had three supplemental documents, two of the documents were superimposed photos of the proposed equipment in the proposed locations and the last document was a schematic of the poles with the speaker arrays. Mr. Shad said the additional documentation would be named exhibit A of the application.

Ms. Tennor said that Mr. Meyer proposed a primary and an alternate location at 3711 Maryland Ave. Ms. Tennor did not understand why an alternate location would be needed. Mr. Meyer said that the first location would work best for OEM due to traffic patterns but wanted to include an alternate location in case the primary location was not acceptable to the Commission. Ms. Tennor asked if the alternate location was not as effective, but less visible than the primary location. Mr. Meyer said that was correct. Ms. Tennor asked why the primary location worked better. Mr. Meyer explained that primary location would not interfere with parking spaces, but that placing the pole in the alternative location would result in the loss of a parking space.

Ms. Tennor said that there had been photographs provided (A.3 in the application) and asked if the drawing in Exhibit A was to scale as it seemed the proposed poles would be

taller than the ones shown in A.3. Mr. Meyer explained the poles shown in A.3 and A.4 are existing poles and the new poles would be adjacent to the existing poles. Ms. Tennor asked if the footer would be the same, with a cement block. Ms. Holmes explained the cement block Ms. Tennor interpreted was actually the little free library. Ms. Tennor asked what the new footer of the pole would look like and asked if the pole would be installed on a concrete base. Mr. Meyer said the pole would be installed on a concrete base.

Mr. Reich asked if OEM would need to consider other measures to protect the base of the pole. Mr. Meyer said that the pole would either be elevated slightly to be protected or have some kind of protective measure around the pole. Mr. Reich asked if the equipment would be powder coated black. Mr. Meyer said the pole would be black but, in the examples provided he was not able to produce a black pole.

Mr. Hollenbeck (already sworn in) asked if the Commission would approve a galvanized pole as opposed to the black pole, if there was a preference or if both pole options would be accepted. Ms. Tennor asked what the advantage would be for DPW not to have the pole painted black. Mr. Hollenbeck said the advantages would be cost and lead time. Mr. Reich said the black pole would be better as it would fade into the background, especially with the inclusion of the speakers. Ms. Tennor asked what the finish of the paint would be on the poles. Mr. Roth said it would be powder coated. Ms. Tennor said the poles should be painted black; Mr. Shad agreed.

Ms. Tennor asked for the dimensions of the speakers. Mr. Meyer said he thought the schematic referenced the dimensions but explained that the proposed speakers would be similar in size to the temporary units in place. Mr. Reich asked if the top of the speakers would be galvanized. Mr. Meyer said he thinks the speakers could be painted but had to

double check with supplier. Mr. Hollenbeck said that galvanized speakers could be powder coated. Mr. Reich said he would prefer the poles and speakers to be black as the new poles will be a landmark. Ms. Tennor said the other street furniture in the Historic District is black and that this project should be consistent with what is there.

F. Motion

Mr. Reich moved to approve the application as submitted, along with making the poles a powder coated black. Mr. Roth seconded. The motion was unanimously approved.

Conclusions Of Law

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

A. Standards of Review

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 10

sets forth the relevant recommendations for Parking Lots, Public Streets and Street Furniture, as detailed in the Findings of Fact, part C.

B. Application of Standards

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

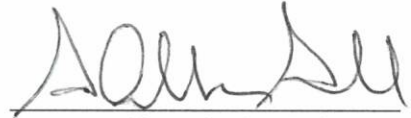
The Applicant seeks to install two poles with speakers as part of an alarm system to warn people of imminent flash flooding in the Historic District. The proposed installations are directed at life safety and the Commission finds they are necessary to protect against threats to public safety. Nonetheless, the proposed installations are in keeping with the Guidelines. The locations are in areas with similar equipment and are not immediately adjacent to historic structures. The material and design of the installations, primarily black metal, is appropriate and in keeping with street furniture throughout the District.

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.

ORDER AND CERTIFICATE OF APPROVAL

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 5 day of March, 2020, **ORDERED**, that the Applicant's request for a Certificate of Approval for exterior alterations at the Subject Property, is **APPROVED**.

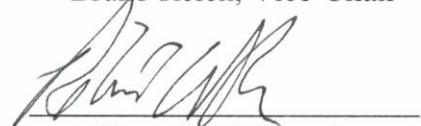
**HOWARD COUNTY HISTORIC
PRESERVATION COMMISSION**



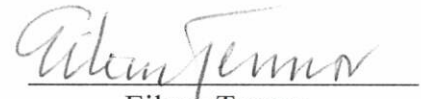
Allan Shad, Chair



Bruno Reich, Vice-Chair



Drew Roth, Secretary



Eileen Tennor



Erica Zoren

APPROVED for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW



Lewis Taylor
Senior Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.